

Notice of Allowability

Application No.

09/741,848

Examiner

Steven P Sax

Applicant(s)

SILVER ET AL.

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed 1/13/05.
2. ☒ The allowed claim(s) is/are 1-3, 6-7, 9-10, 12-19, 21-24, 26-32, 34-58.
3. ☒ The drawings filed on 30 April 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Notice of Allowability

1. This application has been examined. The Amendment filed 1/13/05 has been entered.

2. The following is an examiner's statement of reasons for allowance: The Amendment filed 1/13/05 puts the application into condition for allowance by inserting into the independent claims features clarifying and mentioning the techniques of how the machine vision tool is interoperably trained and run remotely via the network. The features combined are not set forth in the prior art of record.

Independent claim 1 amended shows the method for interoperably training the machine vision tool remotely with the parameter information commanding the remote platform to train the tool, and including selecting via the user interface running on the local computing platform an image acquiring device connected to an image communications device on a second remote platform accessible via the network, in order to acquire an image of an object with the image acquiring device and send it via the network to the machine vision tool on the remote platform, then sending it back from the machine vision tool to the local platform and displaying it at the interface at which a region of interest is selected. Independent claim 7 amended shows the method for interoperably training the machine vision tool remotely with the parameter information commanding the remote platform to train the tool, including the outline drawn on the screen using the pointing device and producing the trained model via the machine

vision tool based on the trained parameter information. Independent claim 19 amended show the method for interoperably running a machine vision tool remotely, including after causing the machine vision tool to be executed using the selected parameters and sending results of the executed machine vision tool to the local platform, displaying the results of the machine vision tool on the local platform whereby the machine vision tool has been interoperably run. Independent claim 24 amended shows the apparatus for interoperably running a machine vision tool remotely, including receiving remotely the identifier of the machine vision tool from the user interface on the local platform, and presenting results of executing the machine vision tool back to the user interface, to interoperably run the machine vision tool. Independent claim 32 amended shows the computer readable medium corresponding to independent claim 24 amended.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven P Sax whose telephone number is (571) 272-4072. The examiner can normally be reached on Monday thru Friday, 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


STEVEN COX
PRIMARY EXAMINER